

A
Docket No.
P07 42146

UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Total Pages in this Submission

67

TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

**METHODS OF DIAGNOSING OR TREATING IRRITABLE BOWEL SYNDROME AND
OTHER DISORDERS CAUSED BY SMALL INTESTINAL BACTERIAL OVERGROWTH**

and invented by:

HENRY C. LIN AND MARK PIMENTEL

If a CONTINUATION APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Enclosed are:

Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 49 pages and including the following:
 - a. ☒ Descriptive Title of the Invention
 - b. ☐ Cross References to Related Applications (if applicable)
 - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
 - d. ☐ Reference to Microfiche Appendix (if applicable)
 - e. ☒ Background of the Invention
 - f. ☒ Brief Summary of the Invention
 - g. ☒ Brief Description of the Drawings (if drawings filed)
 - h. ☒ Detailed Description
 - i. ☒ Claim(s) as Classified Below
 - j. ☒ Abstract of the Disclosure

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Application Elements (Continued)

3. ☒ Drawing(s) *(when necessary as prescribed by 35 USC 113)*
a. ☐ Formal b. ☒ Informal Number of Sheets 2
4. ☒ Oath or Declaration
a. ☒ Newly executed *(original or copy)* ☐ Unexecuted
b. ☐ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
c. ☐ With Power of Attorney ☒ Without Power of Attorney
d. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference *(usable if Box 4b is checked)*
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under
Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby
incorporated by reference therein.
6. ☐ Computer Program in Microfiche
7. ☐ Genetic Sequence Submission *(if applicable, all must be included)*
a. ☐ Paper Copy
b. ☐ Computer Readable Copy
c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

8. ☒ Assignment Papers *(cover sheet & documents)*
9. ☒ 37 CFR 3.73(b) Statement *(when there is an assignee)*
10. ☐ English Translation Document *(if applicable)*
11. ☒ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing
☐ First Class ☐ Express Mail *(Specify Label No.):* EL 349 964 887 US

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Acc mpanying Applicati n Parts (C ntinued)

15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Small Entity Statement(s) - Specify Number of Statements Submitted: 1
17. ☒ Additional Enclosures (please identify below):

POWER OF ATTORNEY

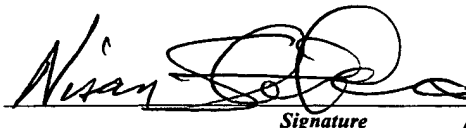
Fee Calculation and Transmittal

CLAIMS AS FILED

| For | #Filed | #Allowed | #Extra | Rate | Fee |
|---|--------|----------|--------|-----------|----------|
| Total Claims | 66 | - 20 = | 46 | x \$9.00 | \$414.00 |
| Indep. Claims | 3 | - 3 = | 0 | x \$39.00 | \$0.00 |
| Multipl Dependent Claims (check if applicable) <input type="checkbox"/> | | | | | \$0.00 |
| BASIC FEE | | | | | \$380.00 |
| OTHER FEE (specify purpose) Fee for recordation of Assignment | | | | | \$40.00 |
| TOTAL FILING FEE | | | | | \$834.00 |

- ☒ A check in the amount of **\$834.00** to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. **16-2460** as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____ as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: 8/11/99


Signature

Nisan A. Steinberg, Ph.D.
Registration N . 40,345
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CC:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Henry C. Lin and Mark Pimentel
Serial No.: Unassigned
Filed on: Herewith
Title: METHODS OF DIAGNOSING OR TREATING IRRITABLE BOWEL
SYNDROME AND OTHER DISORDERS CAUSED BY SMALL
INTESTINAL BACTERIAL OVERGROWTH

**CERTIFICATE UNDER 37 C.F.R. 3.73(b)
ESTABLISHING RIGHT OF ASSIGNEE TO PROSECUTE**

Assistant Commissioner
for Patents
Washington, D.C. 20231

Sir:

Cedars-Sinai Medical Center

certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of chain of title from the inventor, of the patent application identified above, to the current assignee as shown below:

1. From: Henry C. Lin and Mark Pimentel
To: Cedars-Sinai Medical Center

The document is being filed herewith with the the Patent and Trademark Office.
A copy thereof is attached.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 8/9/99

Name: Peter E. Braveman, Esq.

Title: Senior Vice President for Legal Affairs and General Counsel

Signature: 